

Serial No.: 10/672,367

Attorney Docket No.: 2003P08220US

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REMARKS

SEP 25 2006

Upon entry of the instant Amendment, Claims 1-19 are pending. Claims 1, 4, 5, 7 and 14 have been amended to more particularly point out applicants' invention.

Claims 1-3 and 4-5 were rejected under 35 U.S.C. 103(a) as being unpatentable over Polychronidis et al., U.S. Patent Publication No. 2003/0018704 ("Polychronidis") in view of McDowell et al., U.S. Patent Publication No. 2002/0035605 ("McDowell") and Yugami, U.S. Patent Publication No. 2003/0027583 ("Yugami"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Polychronidis or McDowell or Yugami, either singly or in combination.

As discussed in the Specification, aspects of the present invention relate to a telecommunications system including a plurality of network clients including a positioning controller and a communications controller; and a positioning server including a coordinating controller for maintaining a database of network clients to be tracked, said database further including position-presence correlation information for individual users; wherein said positioning server is adapted to receive position information from said plurality of network clients and distribute presence information related to said position information as one or more e-mails to one or more network enterprise devices. In some embodiments, the location information may be transmitted from the client devices to the server via a toll-free telephony interface. The server converts the received information into an e-mail format.

Thus, claim 1 has been amended to recite, "wherein said positioning server is adapted to receive position information from said plurality of network clients via a toll-free telephony interface and distribute presence information related to said position information as one or more e-mail messages to one or more network enterprise devices;" and claim 5 has been amended to recite "a location control unit adapted to receive and maintain location information for said plurality of users via a toll-free telephone interface, said location information correlated with said presence information."

In contrast, none of the references provide that a client device can or does transmit location information to the server via a toll-free telephony interface. Further,

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applicants respectfully submit that none of the references teaches using e-mail to transmit presence information from the server to the client devices.

As acknowledged in the Official Action, Polychronidis does not provide for transmitting presence information as e-mail; instead, Yugami is relied on for such teaching. However, Yugami has nothing to do with transmitting presence via e-mail from a server to a client device. Yugami instead relates to transmitting location information from a client device to a server via e-mail. While Polychronidis provides for transmitting presence via SMS, nothing in either references suggests that e-mail can or should be used for such purposes. Indeed, if anything, Polychronidis suggests that e-mail would be unsuitable for such use. "An SMSC is well-suited for providing user presence and location information, as it already performs similar logic while managing short messages. (Para. 0037)." McDowell merely relates to an integrated IM system but does not use IM or e-mail to transmit the presence information.

As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claim 6 was rejected under 35 U.S.C. 103(a) as being unpatentable over Polychronidis in view of McDowell, Yugami, and Chan, U.S. Patent No. 6m6,760,759 ("Chan"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Polychronidis or McDowell, Yugami, and Chan, either singly or in combination.

Polychronidis, McDowell, and Yugami have been discussed above. Chan merely provides a mobile telephone with wireless dial up capability. However, like Polychronidis, McDowell, and Yugami, Chan does not appear to relate to transmitting presence information in an e-mail from a server or transmitting location information through a toll free telephony interface. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claims 7-13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Polychronidis in view of McDowell, Yugami, and Yoakam et al., U.S. Patent No. 6,658,095 ("Yoakam"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Polychronidis, McDowell, Yugami, and Yoakam, either

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singly or in combination.

Claim 7 recites "receiving one or more user positioning and presence correlation rules at a local controller via a toll-free interface and transmitting said one or more positioning and presence correlation rules to a remote device as one or more rules e-mails." Polychronidis, McDowell, and Yugami have been discussed above. In particular, as discussed above, Polychronidis, McDowell, and Yugami do not relate to providing positioning information or positioning rules as e-mails or a toll-free telephony interface for receiving location information. Yoakam is relied on for allegedly teaching customized presence information delivery. However, like Polychronidis, McDowell, and Yugami, Yoakam does not appear to recognize rules or presence location information being transmitted as one or more e-mails. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claims 14 and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Polychronidis in view of Yugami. Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Polychronidis or Yugami, either singly or in combination.

Claim 14 has been amended to recite "a communications controller adapted to receive said positioning information from said positioning controller and cause said positioning information to be transmitted to an associated server via toll-free telephone interface; and an e-mail controller adapted to receive positioning information control updates from said associated server." Polychronidis and Yugami have been discussed above. In particular, as noted above, neither Polychronidis nor Yugami relate to providing a toll-free telephony interface for location information, or for transmitting presence as an e-mail. Indeed, the references teach away from such combination. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claims 16 and 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Polychronidis in view of Yugami and further in view of Yoakam. Claims 17 and 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Polychronidis in view of Yugami, Yoakam, and further in view of Chan. Each of these references has been discussed above. None of the references teach, inter alia, an e-mail controller for

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receiving updates, as generally recited in the claims at issue. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

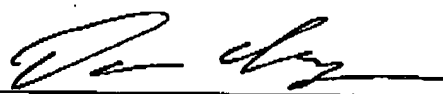
For all of the above reasons, Applicants respectfully submit that the application is in condition for allowance, which allowance is earnestly solicited.

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Respectfully requested,

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